

CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California 93407
ACADEMIC SENATE

FILE COPY

Academic Senate Agenda
Tuesday, October 3, 1989
UU 220 3:00-5:00 p.m.

- I. Minutes:
- II. Communication(s) and Announcement(s):
 - A. Resolutions forwarded to President Baker:
 - 1. AS-298-88/SAGR Resolution on Proposal to Establish the Irrigation Training and Research Center - approved.
 - 2. AS-315-89/SAC Resolution on Policy for...Services for Students With Disabilities - to Vice President for Student Affairs for consideration.
 - 3. AS-316-89/SAC Resolution on Condom Availability Proposal - to Vice President for Student Affairs for consideration.
 - 4. AS-317-89/EX Resolution on Bicycle Use on Campus - approved.
 - 5. AS-318-89/EX Resolution on Skateboard Use on Campus - approved.
 - B. Academic Senate Reading List (p. 2).
 - C. Academic Senate of the CSU resolution AS-1886-89/GA, resolution on Support for SCA 1, Traffic Congestion Relief and Spending Limitation Act of 1990 (p. 3).
 - D. Academic Senate of the CSU resolution AS-1887-89/FA, resolution on Unilateral Imposition of Parking Fees for Unit 3 Faculty (p. 4).
 - E. The Library will be closed December 27-29, 1989 for installation of the Library's new on-line public access catalog system.
 - F. A location within the Library for the Academic Senate Chairs Emeriti plaque and the Distinguished Teaching Award recipients plaque will be determined by the Library's Beautification Committee within the next few weeks.
- III. Reports:
 - A. President's Office
 - B. Vice President for Academic Affairs' Office
 - C. Statewide Senators
 - D. Academic Senate Chair - report on Senate's Summer Quarter activities
- IV. Consent Agenda:
- V. Business Item(s):
 - A. Resolution on Evaluation Procedures and Criteria-Murphy, Chair of the Personnel Policies Committee, first reading (pp. 5-14).
 - B. Resolution on Retention of Probationary Faculty-Murphy, Chair of the Personnel Policies Committee, first reading (pp. 15-18).
 - C. Resolution on CAM 543 Regarding Indirect Cost Sharing (ARDFA Facilities)-Moustafa, Chair of the Research Committee, first reading (pp. 19-25).
- VI. Discussion Item(s):
- VII. Adjournment:

ACADEMIC SENATE READING LIST
FALL QUARTER 1989

9/19/89

Department of Public Safety Annual Report 1988-1989
(Cal Poly)

ACADEMIC SENATE
of
THE CALIFORNIA STATE UNIVERSITY

AS-1886-89/GA
September 7, 1989

SUPPORT FOR SCA 1, TRAFFIC CONGESTION RELIEF AND
SPENDING LIMITATION ACT OF 1990

- WHEREAS, SCA 1 (Traffic Congestion Relief and Spending Limitation Act of 1990) will revise the Gann limit to increase the ability of California's elected representatives to fund increases in State government programs necessary to maintain California's social and economic growth and stability; and
- WHEREAS, The quality of the educational programs of the California State University and access of California's citizens to these programs are severely threatened by the inability of the Legislature and the Governor to provide adequate funding to maintain program quality and citizen access; and
- WHEREAS, The Academic Senate of the California State University has on three previous occasions opposed the current form of Article XIII-B of the California Constitution (Gann Limit) because of its fiscal impact on CSU programs (see AS-1846/GA March 2-3, 1989 attached); and
- WHEREAS, SCA 1 represents a compromise among diverse constituencies (the legislature, the Governor, education leaders, business leaders, and others) and therefore has a reasonable chance for passage if the public is made aware of its merits; therefore be it
- RESOLVED: That the Academic Senate of the California State University strongly support the Traffic Congestion Relief and Spending Limitation Act of 1990; and be it further
- RESOLVED: That the Academic Senate CSU urge the Chancellor, the Board of Trustees, Campus Academic Senates, the Alumni Council, and the California State Student Association to support the Traffic Congestion Relief and Spending Limitation Act of 1990; and be it further

APPROVED UNANIMOUSLY September 7, 1989

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ACADEMIC SENATE
of
THE CALIFORNIA STATE UNIVERSITY

AS-1887-89/FA
September 7, 1989

UNILATERAL IMPOSITION OF PARKING FEES
FOR UNIT 3 FACULTY

WHEREAS, The California State University has unilaterally imposed a parking fee increase for Unit 3 faculty and has made that fee increase retroactive to the beginning of Fall Term, 1988; and

WHEREAS, This action has undermined collegiality and has had an adverse effect on faculty morale; and

WHEREAS, A neutral, fact-finding panel has determined that parking fees are an item subject to good faith collective bargaining pursuant to the Memorandum of Understanding between faculty and the CSU Board of Trustees; therefore be it

RESOLVED: That the Academic Senate of the California State University urge the California State University and the California Faculty Association to meet and confer in good faith on the issue of parking fees and to determine jointly, and in good faith, the parking fees for Unit 3 faculty.

SECOND READING October 26-27, 1989

Adopted:

ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

AS- -89/

RESOLUTION ON
EVALUATION PROCEDURES AND CRITERIA

WHEREAS, Campus Administrative Manual (CAM), section 341, is currently out-of-date; therefore, be it

RESOLVED: That the current CAM 341 be deleted; and, be it further

RESOLVED: That the following CAM 341 be added:

CAM 341 EVALUATION PROCEDURES AND CRITERIA

A. Procedures

1. Evaluations shall be conducted in accordance with Article 15 of the Memorandum of Understanding (MOU) between the California State University (CSU) and Unit 3 Faculty.
2. Each school or other organizational unit (e.g., library) shall develop its own written statement of procedures and criteria for each type of personnel action. (In this section, the use of the word school includes the library and other organizational units covered under the Unit 3 contract.) Departments desiring to develop statements to serve as addenda to the school-wide statement may do so. Full-time probationary and full-time tenured faculty may participate in the development and/or subsequent amendment of these procedures and criteria. School and department statements are subject to review and approval by the school dean and the Vice President for Academic Affairs, and shall be in accordance with the MOU and university policies.
3. Timetables for evaluations shall be published annually and shall be developed in consultation with the Academic Senate.
4. The terms Personnel Action File and Working Personnel Action File are defined in Article 2.17 of the MOU and will hereafter be

Resolution on Evaluation
Procedures and Criteria
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referred to as the Files. All evaluators must sign the logs in the Files before they make their recommendations. It is the professional obligation of all evaluators to review the information in the Files before they vote or provide a written recommendation.

5. At the department level, the department head/chair is the custodian of the Working Personnel Action File and, if appropriate, the Personnel Action File; at the school level, the custodian of the Files is the dean; at the university level, the custodian is the Vice President for Academic Affairs. Custodians of the Files and Peer Review Committee (PRC) chairs shall ensure the confidentiality of the Files. Normally, there shall be no duplication of file materials except for copies made for the candidate or appropriate administrator, or for distribution at PRC meetings. At the conclusion of each PRC meeting, the PRC chair is responsible for the collection of all duplicated materials. The only exception to this policy is that copies of the candidate's resume may be distributed to PRC members for use at times other than PRC meetings. After the PRC has made its recommendation, the copies of the resume shall be collected by the chair.
6. Each PRC evaluation report and recommendation shall be approved by a simple majority of the membership of that committee. There are occasions when a member of a PRC may feel that s/he cannot evaluate a candidate for some reason; e.g., conflict of interest, prejudice, or bias, etc. In such a case, that committee member will not participate or vote in the evaluation of that candidate. For purposes of determining a simple majority vote of the PRC, the membership of the committee shall be defined as those faculty casting yes or no votes.
7. Evaluative statements shall be based on the Files and should be validated with evidence such as class visitation, measurement of student achievement, course outlines and tests, significant curricular, scholarly, and

Resolution on Evaluation
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committee contributions, publications, and opinions of peers and students. If, at any level, the evidence is judged unsatisfactory, or if it does not appear to support the recommendations made, the Working Personnel File shall be returned to the appropriate level for clarification.

When recommendations of the department head/chair and/or school PRC and/or dean are not in conformity with the recommendations of the department PRC, a full explanation of the reasons for the contrary recommendation shall be conveyed, in writing, to the department PRC by the first level of review at which the contrary recommendation is made.

8. Recommendations of PRC's at each level (department or school) must be accompanied by one of the following:
 - a. A majority report and a minority report (if applicable). Both reports must include substantiating reasons and each report must be signed by those PRC members who support the report and the substantiating reasons.
 - b. Individual recommendations from each PRC member (who participated in the evaluation). These recommendations must include substantiating reasons and must be signed.
 - c. A combination of "a" and "b" above: a majority report, a minority report (if applicable), and individual recommendations from those members of the Peer Review Committee who support neither the majority nor the minority report. In any event, each report or recommendation must include substantiating reasons and must be signed by those who support it.
9. Department heads/chairs and deans shall use the Faculty Evaluation Form (Form 109) to evaluate faculty for retention, tenure, and promotion. Comments regarding student evaluations must be included in Section 1 of Form 109.
10. Guidelines for student evaluations are found in Administration Bulletin 74-1. School and

Resolution on Evaluation
Procedures and Criteria
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department procedures for student evaluations shall be in accordance with this administrative bulletin and the MOU.

B. Criteria

1. Evaluative criteria shall emphasize teaching performance, but also should include professional growth and achievement, service to the university and community and possession of appropriate academic preparation. Although teaching effectiveness is the primary and essential criterion, it alone is not sufficient for retention, tenure, and promotion.
2. The intensity of the evaluation process will vary in accordance with the academic position of the candidate. For example, the granting of tenure requires stronger evidence of worthiness than retention, and promotion to Professor requires a more rigorous application of criteria than promotion to Associate Professor.
3. Evaluation of faculty involves a "comprehensive assessment" with appointment and retention seen as leading to tenure. It should be understood that if a faculty member does not have the potential to achieve tenure, then that individual should not be reappointed. Similarly, a candidate who does not have the potential for promotion to Associate Professor and Professor should not be granted tenure. This does not mean that retention is a guarantee of tenure nor is tenure a guarantee of promotion.

Proposed By:
Personnel Policies Committee
Date: September 19, 1989

340 PROMOTIONS, REAPPOINTMENTS, TENURE, AND TERMINATIONS

341 Evaluation Procedures and Criteria

341.1 Academic Employees

A. Consultative Procedures

Only tenured faculty, department heads, and other academic administrators may participate in deliberations, voting, and formal recommendations at all levels of review on appointment, reappointment, tenure, promotion, and termination of faculty. Such recommendations must originate at the department or, where applicable, school or division level, and pass through appropriate levels to the University President or a designee.

Information from other faculty members, students, and any other sources is to be considered by those who originate the first-level recommendations and by those who review those recommendations.

The Personnel Review Committee of the Academic Senate shall serve as a university-wide level of review of faculty personnel actions relating to retention, tenure, promotions, termination, and leaves with pay. Although this committee does not function as a grievance body, it may review and make recommendations within the guidelines outlined below in those cases where there is disagreement among the recommendations made by the department committees, department heads, and school deans; or in other cases when a faculty member believes that unusual circumstances have resulted in an unjust decision. However, the committee shall not review a case unless the faculty member has requested such review in writing. The findings and recommendations of the Personnel Review Committee shall be submitted to the President via the Vice President for Academic Affairs with a copy to the school dean in accordance with dates specified in subsequent sections. (See Appendix V.)

To insure consistency in the application of criteria by individual departments, divisions or schools, the Personnel Review Committee shall have access to a sampling of positive recommendations for comparison purposes.

Professional judgments are not subject to review by the Personnel Review Committee except in cases when there is an indication that prejudice, capriciousness, discrimination, or other improper conditions were involved. Where no improper circumstances are found to exist, the resources of the Personnel Review Committee should not be used to question the professional judgments of those fixed with a more immediate responsibility for faculty performance. Therefore, in reviewing cases the Personnel Review Committee should be concerned only with whether:

1. Established procedures were followed;
2. The recommended action was based on discrimination or prejudice;
3. Sufficient information was considered in the procedures to warrant the recommendation;
4. All relevant information was considered; and
5. Departments, divisions or schools were consistent in the application of stated or established criteria.

Upon receipt from the Vice President for Academic Affairs of the names of individuals whose cases represent disagreement among recommendations cited above or whose recommendations were all negative, the Chairperson of the Personnel Review Committee shall inform these individuals that they may request a review by the committee. In such invitation the Chairperson shall make it clear that the Personnel Review Committee will be concerned with any or all of the five items enumerated above.

Further, the Chairperson shall direct those persons requesting review to restrict any comments and supporting data to the five items enumerated above. Those requesting review shall also send copies of their request, comments, and supporting data to their department head and to their dean or division head.

Upon receipt of such a request the committee Chairperson shall notify the dean and department head concerned. The dean and department head shall send copies of their comments, if any, to the PRC and to the faculty member requesting review. The Personnel Review Committee shall review the case and make a report to the Vice President for Academic Affairs.

B. Performance Evaluations for Reappointment, Promotion, and Tenure

Performance evaluations of all academic employees are made annually for promotions, for tenure, for reappointments, and for any other recommended personnel action. Performance evaluations for full- and part-time lecturers are made annually by June 1. (See Faculty Evaluation Form, Appendix I.)

It is the responsibility of the department head to render all possible advice and assistance to members of the department in carrying out their teaching assignments, and particularly to new members of the department. This would include personal observation of the classes assigned new faculty members. The purpose of such observation is to assist the teacher through constructive criticism, to provide a more systematic basis for the evaluation process, and to assure that the fundamental objective of quality instructional programs is being met. Regular periodic conferences should be held at least once during the reappointment cycle and at other times as deemed necessary by the tenured reviewing faculty and academic administrators with each probationary faculty member to provide the latter with full perspective concerning strengths and weaknesses, possible means of improvement, and the current prospect for reappointment or tenure.

C. Post Tenure Peer Review

Schools and departments, with student participation, should develop procedures for peer evaluation of tenured faculty instructional performance including currency in the field, appropriate to university education. The procedures shall be compatible with the following University guidelines:

1. Annually, department heads and deans will be required to evaluate tenured Assistant Professors, steps 1 - 4; tenured Associate Professors, steps 1 - 4; and tenured Professors, steps 1 - 3, for merit salary adjustment purposes only. This will be accomplished by using pages 4 and 5, Form 109 (Faculty Evaluation Form).

Assistant Professors, step 5; Associate Professors, step 5; and Professors, steps 4 and 5, shall undergo post-tenure peer review at least once every five years. In addition, if a department head or dean has reason to believe that a faculty member is performing unsatisfactorily, a post-tenure peer review by the departmental full Professors shall be conducted as soon as possible.

2. Post-Tenure review of Professors

- a. All Professors at Step 4 shall undergo a post-tenure peer review by the departmental tenured full Professors prior to June 1 of the academic year they reach that rank/step.
- b. Peer review of tenured Professors, Step 5, shall occur at least once every five years after initial evaluation.

- (1) Only departmental tenured full Professors are eligible to participate at the first level of peer review.

Revised November, 1980

Added November, 1980

- (2) If the department has no tenured Professors, the evaluation shall be conducted only by the department head and dean. Consideration shall be given to student evaluations.
- (3) The criteria for post-tenure review of full Professors will be the same as for promotion to the Professor level, unless supplemental department or school criteria are approved.

3. Post-tenure peer review of Associate Professors

- a. During the academic year that a tenured Associate Professor reaches Step 5, one of the following two courses of action shall be taken:
 - (1) If the professor requests promotion consideration, the evaluation shall be conducted under established promotion procedures and criteria. Such evaluation will be considered as satisfying the requirements for post-tenure peer review.
 - (2) If promotion consideration is not requested, a peer review by the departmental professors shall be made in accordance with Board of Trustee policy.
 - (a) The criteria for post-tenure review shall be the same as for promotion to Associate Professor, unless supplemental department or school criteria are approved.
 - (b) If the department has no tenured Professors, the evaluation shall be conducted by the department head and dean. Consideration shall be given to student evaluation.
 - (c) Peer review of tenured Associate Professors, Step 5, shall occur at least once every five years.
- b. Although post-tenure peer review of Associate Professors below Step 5 is not required, such faculty shall arrange for periodic conferences with the department head and senior faculty for advice and assistance regarding progress toward promotion during the year they are at Step 3.

4. Post-tenure Review Assistant Professors

- a. During the academic year that a tenured Assistant Professor reaches Step 5, one of the following two courses of action shall be taken:
 - (1) If the professor requests promotion consideration, evaluation shall be under established promotion procedures and criteria. Such evaluation will be considered as satisfying the requirements for post-tenure review.
 - (2) If promotion consideration is not requested, peer review by the department Professors shall be made in accordance with Board of Trustee policy.
 - (a) The criteria for evaluation shall be the same as for the award of tenure, unless supplemental department or school criteria are approved.
 - (b) If the department has no tenured Professors, the evaluation shall be conducted by the department head and dean. Consideration shall be given to student evaluations.
- b. Post-tenure review of tenured Assistant Professors, step 5, shall occur at least once every five years.

5. The Faculty Evaluation Form 109 can be used in its present form or modified as appropriate to meet specific departmental or school needs. The peer evaluation may be in a written narrative form signed by the committee chairman or by individuals who reviewed the professor. The evaluation shall include the process used, the reasons for recommendations, and evidence in sufficient detail to validate the findings. In those instances where the consultative evaluations represent a consensus opinion signed by the committee chairperson, the filing of a minority report by committee member(s) whose opinions differ from the views expressed in the majority report should accompany the majority report at the time it is forwarded to the department head.
6. Post-tenure peer evaluations shall be forwarded to the department head no later than May 1. Department heads' and deans' evaluations should be completed prior to June 1, using Faculty Evaluation Form 109. The department head shall meet with each faculty member evaluated to discuss the results of the evaluations. If areas for improvement are identified, the department head shall advise the faculty member of avenues for assistance available within the department or university. The written evaluations shall be placed in the faculty member's personnel file which is maintained in the school dean's office.

D. Evaluation Criteria

Each school or other organizational unit shall develop, consistent with general university policy, its own written statement of procedures and criteria for each type of personnel action. Departments desiring to develop statements to serve as addenda to the schoolwide statement may do so. Members of the school and/or department, whether tenured or not, shall equally participate in the development and/or subsequent amendment of these procedures and criteria. School and departmental statements are subject to review and approval by the school dean and the Vice President for Academic Affairs. The President will approve criteria for personnel actions for the Division of Student Affairs.

Evaluative criteria shall emphasize teaching performance, but also should include scholarly and creative achievements, contributions to the community, contributions to the institution, and possession of appropriate academic preparation. Although teaching effectiveness is the primary and essential criterion, it alone is not sufficient for appointment, retention, tenure, and promotion. The intensity of the evaluation process will vary in accordance with the academic position of the faculty member. Thus, granting of tenure requires stronger evidence of worthiness than reappointment; promotion to Professor requires a more rigorous application of criteria than promotion to Associate Professor, etc.

However, evaluation of faculty involves a "comprehensive assessment" with appointment and retention seen as leading to tenure. It should be understood that if a faculty member is not likely to pass the test for obtaining tenure, then the individual should not be reappointed; if the faculty member does not have the potential for promotion to Associate Professor or beyond, tenure should not be accorded.

Each faculty member subject to evaluation shall update his/her personnel file, using the Faculty Resume Worksheet appearing in CAM Appendix XII as a guide. The basic evaluation of a faculty member's teaching ability and professional competence will be made by colleagues in that field and the department head. The faculty member will be evaluated in accordance with the established criteria for professional performance and comparatively against the performance of colleagues.

In those schools and/or departments where the evaluation procedure calls for a vote by faculty members conducting the evaluation and making a recommendation, the statement of procedures and criteria shall identify how abstention votes are to be treated.

Added November, 1980

Revised August, 1982

Faculty members should be advised prior to initial appointment about the importance of teaching effectiveness and the emphasis on particular criteria which will prevail in later decisions on reappointment, tenure, and promotion. For example, if the doctorate is required for tenure, the faculty member should be so advised.

E. Justification for Recommendations

Evaluative statements should be validated with reliable evidence such as class visitation, measurement of student achievement, course outlines and tests, committee work, publications, opinion of peers and students, and statement of the faculty member being evaluated. If, at the level of the department head or dean, the evidence is judged to be unsatisfactory, or if it does not appear to support the recommendations made, the file will be returned to the previous level for amplification.

When recommendations of the department head and/or the dean are not in conformity with, or are subsequently changed so they are not in conformity with, the recommendations of the faculty unit or committee consulted, full explanation of the reasons for a contrary recommendation should be conveyed to the faculty unit or committee consulted and to the individual involved by the first level reviewer expressing a contrary recommendation.

F. Guidelines for Student Evaluation of Faculty

See Administrative Bulletin 74-1 in the Appendix.

341.2 Support Staff Employees

Performance evaluations of support staff employees will be made after 3, 6, and 9 months of employment during the probationary period; and for permanent employees, annually. Permanent status is established after 12 months of approved full-time service. (See Support Staff Employee Performance Evaluation Form, Appendix II)

The supervisor will use the Support Staff Employee Performance Evaluation Form to evaluate staff employees during their first year of probation and annually thereafter.

The Staff Personnel Officer will act as the reviewing officer for the purpose of verifying completion of all evaluations and noting any problems that appear to require further action.

341.3 Administrative Employees

Performance evaluations for administrative employees will be made at the end of the 6, 12, and 18 months of employment during the probationary period; and for permanent employees, annually. Permanent status is established after two years of approved full-time service. The supervisor will use the Administrative Employee Evaluation Form in Appendix III to evaluate administrative employees.

341.4 Instructional Department Heads and Academic Deans

See Administrative Bulletins 77-2 and 74-2 in the Appendix.

341.5 Evaluation of Academic Administrators

The following resolution was adopted by the Board of Trustees regarding the evaluation of academic administrators:

"Academic administrators serve at the pleasure of the President. It is the policy of the CSUC that all academic administrators be evaluated at regular intervals. It is necessary that the evaluator be aware of the preception of those who work with the administrator. The President shall develop procedures for the systematic acquisition of information and comments, and from

appropriate administrators, faculty, staff and students in the work of the administrator to be evaluated."

Campus policy implementing the resolution adopted by the Board of Trustees is described in this section.

Tenure does not apply to academic administrative assignments. Persons serving in academic administrative assignments shall retain any tenure rights already earned either as an academic or administrative employee. Persons initially employed in academic administrative assignments at the campus shall, while serving in such assignments, serve a probationary period toward and may acquire academic or administrative tenure according to the relevance of their assignment and qualifications for either an academic or administrative position. While on probationary status, such employees will be subject to annual performance evaluations in accordance with applicable procedures and criteria for their respective division (Academic Affairs, Administrative Affairs, or Student Affairs). Those employees who are tenured and serving in academic administrative assignments will be evaluated at least once every three years. The evaluator will use Administrative Evaluation Form (Personnel Form 139) to conduct performance reviews.

Prior to October 1 of each year, the Director of Personnel Relations will prepare a list of academic administrators who are subject to evaluation that year. Upon receipt of this list, the evaluator should request input, as appropriate, from administrators, faculty, staff and students. Evaluations should be completed and discussed with the person rated prior to June 1 of the same academic year.

The Executive Vice President, Vice President for Academic Affairs and the Dean of Students will be either the rating or the reviewing officer for their respective divisions and will be responsible for monitoring and verifying the completion of all evaluations pursuant to this policy.

342 Promotions

342.1 Criteria for Support Staff and Administrative Promotions

Whenever possible, promotions will be made from within the staff based upon the following factors of evaluation as listed in order of importance:

- A. Demonstrated ability in terms of the job to be done
- B. Reliability
- C. Willingness to work with and cooperative attitude toward fellow workers
- D. Loyalty
- E. Length of service

342.2 Academic Promotions

A. Eligibility

1. Persons occupying academic rank positions but assigned full time to noninstructional duties will be considered for promotion by the administration; persons assigned to both teaching and instructional-administrative duties will be considered for promotion in both areas.
2. Normally promotions of academic employees may be made only after the completion of at least one full academic year of service in the fifth salary step of the rank. In case of overlapping steps in salary ranges between academic ranks, an individual will receive at the time of promotion a one-step increase in salary. Individuals are not eligible for promotion in academic

Sept 19 '88
change

Added March, 1981

Revised April, 1983

ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

AS- -89/

RESOLUTION ON
RETENTION OF PROBATIONARY FACULTY

WHEREAS, Campus Administrative Manual (CAM), section 343, is currently out-of-date; therefore, be it

RESOLVED: That the current CAM 343 be deleted; and, be it further

RESOLVED: That the following CAM 343 be added:

CAM 343 RETENTION OF PROBATIONARY FACULTY UNIT MEMBERS

A. Procedures

1. Performance reviews for the purpose of retention shall be in accordance with CAM 341 and Articles 13 and 15 of the Memorandum of Understanding (MOU) between the California State University (CSU) and Unit 3 Faculty.
2. Applicants for retention shall submit a resume which indicates evidence supporting retention. This resume shall include all categories pertinent to retention consideration: teaching activities and performance, or librarian effectiveness and performance; professional growth and achievement; service to the university and community; and any other activities which indicate professional commitment, service or contribution to the discipline, department, school or library (in the case of librarians), university, or community.
3. Recommendations for retention are based on the same factors as for promotions (see CAM 342.2.B.4).

Proposed By:
Personnel Policies Committee
Date: September 19, 1989

343 Reappointment Procedures During Probationary Period (See CAM 344 for tenure appointments.)

343.1 Procedure for Probationary Academic Employees (See Appendix V for Schedule of Deadlines.)

- A. Each year by October 1, the Director of Personnel Relations will send to directors, department heads, division heads, school deans, and vice presidents a list of academic personnel in their respective areas of responsibility who will have completed at the close of the current college year one or more probationary years of service. The processing of evaluations and recommendations for academic personnel (Counselors, Student Affairs Officers, Librarians, and Academic Administrators) under the Dean of Students, the Executive Vice President, and the Vice President for Academic Affairs is subject to the same procedures and deadlines as outlined in this section. The only exception is that these recommendations of reappointment or nonreappointment (for tenure or nontenure see CAM 344.2.A.) are sent for appropriate action to the President by the Dean of Students and the vice presidents. For academic employees serving in academic-administrative assignments, the Administrative Employee Evaluation Form (Appendix III) is used.
- B. Each faculty member subject to evaluation shall update his/her personnel file, using the Faculty Resume Worksheet appearing in CAM Appendix XII as a guide. Department heads will evaluate personnel on their respective lists in accordance with CAM 341. They will submit to their respective school deans the names of probationary personnel recommended and not recommended for appointment for the subsequent academic year. Submission dates are November 1 in the case of employees with two or more years of probationary service, and January 17 in the case of employees with one year of probationary service. In addition, each first year probationary faculty member whose academic rank appointment followed employment as a full-time lecturer in the spring, spring and winter, or spring, winter and fall quarters of the previous college year should be evaluated by November 1. In arriving at the recommendations, the department head will consult tenured members of the department staff, and the results of such consultation must be presented in writing to accompany the recommendations. The consultative evaluation signed by the committee chairperson or the committee members, or as individually signed statements, shall include reasons in sufficient detail to validate the recommendations of the consulted group. In those instances where the consultative evaluation represents a consensus opinion and is signed by the committee chairperson, the filing of a minority report by committee members whose opinions differ from the views expressed in the majority report is permitted and encouraged. To insure consideration, such a minority report should accompany the majority report at the time it is forwarded to the department head.
- C. School deans will submit their respective lists with their own recommendations including those for department heads to the Vice President for Academic Affairs by November 15 in the case of employees with two years of service, and first year faculty with prior full-time lectureship employment as defined in "B" above; by December 5 in the case of employees with three or more years of service; and by January 31 in the case of employees with one year of service.
- D. The Vice President for Academic Affairs will submit by November 19, December 10, and February 9, respectively, a listing of the names of personnel not recommended for reappointment to the chairperson of the Personnel Review Committee of the Academic Senate for review by the Committee. At the request of the Chairperson of the Personnel Review Committee, the Vice President for Academic Affairs shall provide a sampling of positive recommendations for comparison purpose.
- E. The Chairperson of the Personnel Review Committee will forward to the appropriate Vice President or Dean of Students by December 1, January 15, and February 19, respectively, the results of its review of the recommendations, together with its own recommendations.

Revised August, 1992

Revised December, 1982

F. Acting for the President, the Vice President for Academic Affairs will notify all second year academic employees not being considered for tenure by December 15 of either (1) reappointment to a third probationary year; or (2) that notification will be given no later than June 1 regarding the third probationary year. Academic employees with three or more years of probationary service who are not being considered for tenure will be notified by February 5 whether (1) the subsequent academic year is an additional probationary year; or (2) the subsequent academic year is a terminal notice year with termination effective at the end of the notice year with termination effective at the end of the notice year; or (3) that notification will be given no later than June 1 regarding their status for the next academic year. In addition, each first year probationary faculty member with previous lecturer employment (as defined in "B" above) will be notified by the Vice President for Academic Affairs by December 15 concerning reappointment. Academic employees being considered for tenure will be notified on the same dates as above by the President of according or nonaccording of tenure. (See CAM 344.2.)

G. The same review process as outlined above will be used for those academic personnel who were advised that they would receive notice by June 1 concerning their status for the next academic year. For such academic personnel, the deadline schedule listed below will be followed in processing recommendations.

April 15	From Department to Deans, Division Heads or Directors
April 28	From Dean to Appropriate Vice President or Dean of Students
May 5	From Vice President for Academic Affairs to Personnel Review Committee, Academic Senate
May 18	From Personnel Review Committee to Appropriate Vice President or Dean of Students (with copy to school dean)
June 1	Vice President for Academic Affairs notifies the individual concerning reappointment and the President notifies the individual concerning tenure

H. Recommendations will be based on teaching performance and/or other professional performance, professional growth and achievement, service to university and community, and such other factors as ability to relate with colleagues, initiative, cooperativeness, dependability, and health. (See Faculty Evaluation Form, Appendix I.)

I. Terminal Notice Year

Under provisions of 5 Cal. Adm. Code 43561, a faculty member serving a third, fourth, fifth, or sixth year of probationary service is entitled to an additional academic year of employment (identified in Title 5 as a "terminal 'notice' year," or "terminal year") if the decision to terminate employment is communicated to the faculty member during any one of those probationary years.

J. If the department head recommends nonreappointment, a written invitation shall be forwarded by the department head to the individual to discuss the decision; if an initial recommendation of nonreappointment is made by the school dean, the dean shall invite, in writing, the individual to discuss the decision in the presence of the department head.

K. Notifications of reappointment and nonreappointment are made in accordance with 5 Cal. Adm. Code 43566 as follows:

1. Notification of all decisions regarding reappointment and nonreappointment shall be in writing and signed by the University President or a designee.
2. The notice of intention not to reappoint a probationary academic employee shall be mailed by certified mail, return receipt requested, to the academic employee's last known address, or the notice may be delivered to the academic employee in person who shall acknowledge receipt of the notice in writing. If

such notice is delivered to the academic employee and the employee refuses to acknowledge receipt thereof, the person delivering the notice shall make and file with the University President an affidavit of service thereof, which affidavit shall be regarded as equivalent to acknowledgment of receipt of notice.

3. Reappointment to a succeeding academic year may be accomplished only by notice by the President or a designee. Notwithstanding any provision of the **Campus Administrative Manual** to the contrary, no person shall be deemed to have been reappointed because notice is not given or received by the time or in the manner prescribed in the **Campus Administrative Manual**. Should it occur that no notice is received by the times prescribed in the **Campus Administrative Manual**, it is the duty of the academic employee concerned to make inquiry to determine the decision of the President, who shall without delay give notice in accordance with this section.

343.2 Procedure for Administrative Employees

- A. Administrative employees serve a two-year probationary period and are evaluated in six-month cycles. At the time of evaluation, the supervisor will forward the evaluation form together with a recommendation for or against continuance of employment through appropriate channels to the dean, division head, or vice presidents. (See CAM 344.3.)
- B. In the case of a recommendation against continuance of employment, the dean, division head, or vice president will forward the evaluation form and a copy of the recommendation to the Executive Vice President.
- C. The Executive Vice President will notify the employee of the decision not to continue employment as follows:
 1. Following completion of six months or more of continuous service, notice shall be given not less than 15 days prior to the assigned date of separation; or
 2. Following completion of 12 months or more of continuous service, notice shall be given not less than 30 days prior to the assigned date of separation; or
 3. Following completion of 18 months or more of continuous service, notice shall be given no later than the last day of the probationary period and not less than 45 days prior to the assigned date of separation.
 4. An administrative employee shall not become a permanent employee on beginning the third year of service if notice of rejection pursuant to this section has been given at any time during the probationary period.
- D. Recommendations will be based on job performance, personal relationships, professional ethics, and acceptance and implementation of respective department, school, and campuswide objectives. (See Administrative Employee Evaluation Form, Appendix III.)

343.3 Procedure for Support Staff Employees

- A. At the time of the employee's first and second performance evaluations (end of third and sixth months of employment), the supervisor will forward the evaluation form together with a recommendation for or against continuance of employment through appropriate channels to the dean, division head, or vice presidents. (See CAM 341.)
- B. In the case of a recommendation against continuance of employment, the school dean or division head, not later than one month and one week prior to the proposed effective date, will forward a decision to the Personnel Office.
- C. The Personnel Office will notify the employee in case of a decision not to continue employment. Every effort will be made to make this notification one month prior to the effective date.

Adopted: _____

**ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California**

Background statement:

Sponsored project direct costs are usually identified as those costs directly related to the project itself. Other costs are incurred which are called indirect costs or overhead and include the purchase of desks, tables, and equipment, which are one time purchases, as well as such items as telephone use, heating, and custodial services. Start up costs are a special case of the normal overhead. This resolution addresses the normal overhead and the special start up costs associated with the initiation and operation of Building 04, ARDFA.

Indirect costs have been traditionally used at Cal Poly to cover administrative costs of sponsored programs in the Foundation and university Business Office and sponsored programs development in the Grants Development Office. Indirect costs remaining after these costs have been met have been distributed according to a formula that sends 50 percent to the Academic Research Committee for CARE grants, 40 percent to the department responsible for the award to assist in the continued development of that grant and similar ones, and 10 percent to the principal investigator for her/his professional development. This formula was most recently reviewed by the Academic Senate and revised in 1987.

Grants are normally conducted in campus facilities supported by the instructional program. A faculty member may use her/his own office, or a portion of a laboratory when it is not used for a classroom activity. As such, a research activity may encounter only minimal problems in getting set up.

When the School of Engineering vacated Building 04, the building was reassigned for Applied Research and Development Facility and Activities (ARDFA). When the Engineering departments relocated to Building 13, they removed from Building 04 many useful appurtenances and relocated their programs to the new building. In doing so, they left what is essentially a warehouse. A three-year attempt to develop this building as a university-wide research facility failed because of a lack of funds to initiate and sustain it.

Building 04 has now been made available to the School of Engineering as an applied research and development facility. Since the ARDFA facility has no ongoing instructional program to use as a base for the development and maintenance of its research facilities, and funds are needed to make it operational and sustain its activity, it is proposed that the indirect costs recovered from Foundation ARDFA Sponsored Projects be used in assisting ARDFA development. In order for the School of Engineering to properly use the building for the purposes intended, funds are required to renovate and install equipment which can be used for research grants and contracts, and to maintain overhead for direct project costs.

The Campus Administrative Manual places limitations and restrictions on the use of overhead for direct project costs: "Because indirect costs are real expenses, funds recovered through indirect costs reimbursement are not available to provide additional

support for the direct expenses of a project" (CAM 543.1). It does not, however, restrict the use of indirect costs for overhead type activities such as general equipment purchase, equipment maintenance, and operational costs. This resolution proposes another way of treating indirect costs consistent with the current policies in CAM.

AS- _____ -89/ _____

**RESOLUTION ON
CAM 543 REGARDING INDIRECT COST SHARING (ARDFA FACILITIES)**

- WHEREAS, Indirect cost recovery is intended to assist the university in the development and maintenance of research facilities; and
- WHEREAS, The current overhead sharing plan does not allow for advances to a grant or a contract to assist in the development of facilities; and
- WHEREAS, The current guidelines for CARE grants recognizes the development of research facilities as an important method for encouraging research on campus; therefore, be it
- RESOLVED: That the Academic Senate endorse the concept that up to 40 percent of the indirect costs recovered on Foundation Sponsored Projects using the applied research and development facility exclusively, may be utilized for the development, operation, and maintenance of the facility. This concept will be an administrative exception to the Campus Administrative Manual Section 543 for a three-year trial period with annual review by the Research Committee. The concept should ensure that the committee receives from the projects utilizing the ARDFA facility a percentage for CARE grants not less than the percentage of total campus indirect costs allocated for CARE grants in AY 1988-1989.

Proposed By:
Research Committee
July 18, 1989
Revised: September 14, 1989

543 Indirect Costs--Definition

Indirect costs are defined by the Department of Health and Human Services (DHHS) as those costs incurred in the development, administration, and running of sponsored programs that go over and above the direct costs of any specific project. These costs include expenses for space and facilities, office and laboratory equipment, maintenance, utilities, library use, accounting functions, departmental and school administration, university administration, and program development, as they are incurred on government and privately sponsored research, development, instructional, training, service, and demonstration projects.

The indirect cost rate is negotiated periodically with the DHHS and changes to reflect shifts in costs. Project developers should consult the Grants Development Office to determine current rates before discussing indirect costs with prospective sponsors.

543.1 Policy on Indirect Cost Recovery

The university will seek full indirect costs reimbursement for each sponsored activity, whether administered through the university or through the Foundation. Because indirect costs are real expenses, funds recovered through indirect costs reimbursement are not available to provide additional support for the direct expenses of a project.

543.2 Utilization of Indirect Funds

As indirect cost reimbursements for projects administered fiscally either by the university or by the Foundation are accumulated, they may be utilized by the respective business offices to pay for the financial administration of the projects according to the approved rate. All other funds shall be placed in appropriate Foundation or university trust accounts designated "Unallocated Overhead," which is to be used for covering associated costs as well as for sharing throughout the university.

543.3 Report on Expenditure of Indirect Costs and Proposed Utilization

At the beginning of each fiscal year (or more frequently if required) the Associate Vice President Graduate Studies, Research, and Faculty Development in cooperation with the Vice President for Business Affairs and the Foundation Executive Director will develop a summary statement that will include the following:

- A. Indirect cost income during previous fiscal year, including any balance of unused indirect costs reimbursements remaining in the trust accounts.
- B. Charges during the previous fiscal year for:
 1. University fiscal administration *
 2. Foundation fiscal administration and reserves
- C. The Associate Vice President for Graduate Studies, Research, and Faculty Development will use the above statement as the basis for developing a proposal for the use of unallocated overheads during the current year. The proposal will be developed in consultation with the Academic Senate Research Committee. Its objective shall be to fund adequately each of the following in priority:
 1. Supplementary budget support for the Grants Development Office; *
 2. Reserve for program development/contingency; and

Revised June 1988 *

3. Uncommitted funds for use by the university, including funds remaining after the termination of fixed-price contracts.

The above summary statement and proposal will be reviewed and endorsed by the Vice President for Academic Affairs and sent to the President for approval.

543.4 Policy for Maintenance and Utilization of Reserve for Program Development/Contingency

The goal of the reserve for program development/contingency is a level sufficient to assure adequate resources for the continuing support of the grants development activity. Its use will be restricted generally to costs associated with major proposal development or grant negotiation and to reserves necessary to ensure continuity in funding for the Grants Development Office. Recommendations for expenditures are made by the Director of Grants Development and approved by the Associate Vice President for Graduate Studies, Research, and Faculty Development. *

543.5 Policy for Allocating Uncommitted Indirect Cost Reimbursements

Uncommitted overhead funds approved for allocation will be distributed in the following manner and for the following purposes.

Fifty percent of uncommitted indirect cost reimbursements will be available to the Academic Senate Research Committee, which will solicit proposals from the faculty for research, development, and other scholarly and creative activities and recommend grants subject to the approval of the Vice President for Academic Affairs. The program under which the Academic Senate Research Committee recommends proposals to the Vice President for Academic Affairs is called CARE, for Creative Activity/Research Effort. *

Forty percent of the uncommitted overhead will go to the administrative unit directly sponsoring the project (e.g., department, dean's office, institute, or center). These funds are not discretionary, but are restricted funds, intended to be used to reinforce and foster such activities as those that led to the grant that earned them, including additional support to the individual project investigators. Ten percent will go to the individual project director for professional development activities.

544 Patent Policy and Procedures

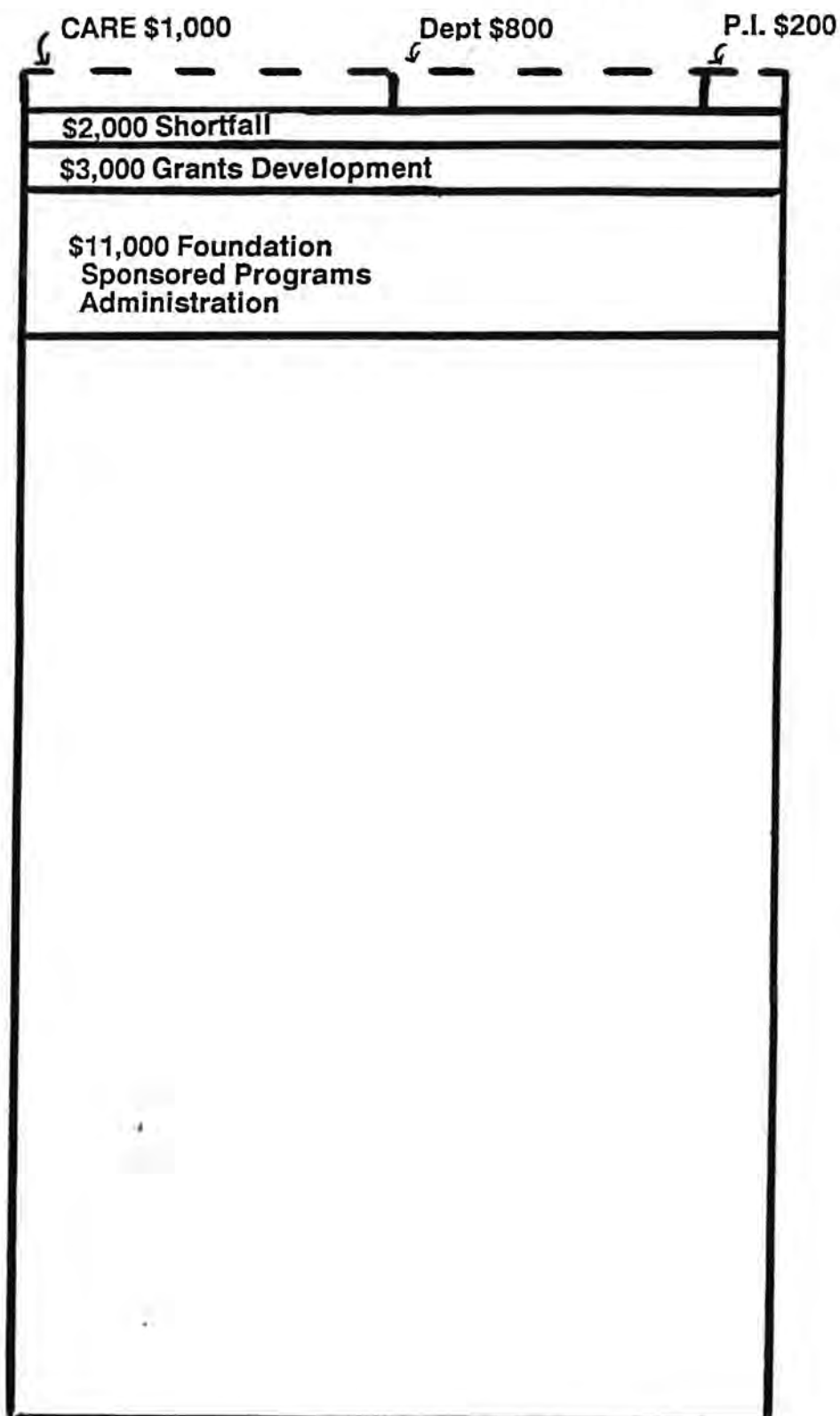
The university, by its very nature has an obligation to serve the public interest. In order to do this effectively, it is necessary that the university have a patent program which will make inventions arising in the course of university research available to the public interest under conditions that will promote effective development and utilization.

The university also recognizes its need to assist faculty and staff members of the university in all matters related to patents based on discoveries and inventions developed in situations such as those in which the university has no vested interest, i.e., those which are developed by a faculty or staff member on personal time and without the use of university facilities.

**Average Project
Direct and Indirect Costs
Recovered 1987/88
\$118,000**

INDIRECT COSTS \$18,000
DIRECT COSTS \$100,000

**Overhead Distribution, Average Project
1987/88
\$118,000**



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**Average ARDFA Project
Proposed Distribution
(1989/90)
\$122,000**

\$1,000 CARE (5%)	
\$2,200 (10%) Grants Development	
\$9,900 (45%) Foundation Sponsored Programs	
\$8,800 (40%) ARDFA	

**Indirect Costs
\$22,000**

**Direct Costs
\$100,000**